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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,535	03/23/2004	Kurt Stouffer Lehmann	10543-070	2501

40878 7590 08/03/2005

CONTINENTAL TEVES INC.  
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CHICAGO, IL 60610

EXAMINER
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ZANELLI, MICHAEL J

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/806,535	LEHMANN ET AL.	
	Examiner	Art Unit	
	Michael J. Zanelli	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14, 22 and 29-32 is/are allowed.
- 6) ☒ Claim(s) 18, 20 and 23-28 is/are rejected.
- 7) ☒ Claim(s) 15-17, 19 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/26/04</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This application has been examined. Claims 1-32 are pending.
2. The IDS filed 3/26/04 has been considered as indicated. The foreign patent documents cited have not been considered because applicant has not provided copies. The English language abstracts merely satisfy the statement of relevancy requirement. If applicant wishes only the abstracts to be considered, then they must be listed under "Other Publications" (see MPEP 711.06(a)).
3. Applicant is requested to amend the specification at paragraph [0022] to include the application number. Acknowledgement is made of the incorporation by reference to the copending application which discloses essential subject matter relating to the claimed vehicle dynamics and sensor array models.
4. Claims 15-21 and 26 are objected to because of the following informalities:
  - A. As per claim 15, at line 11 delete extraneous "is".
  - B. As per claim 26, at line 1 after ",", insert --wherein the--.
  - C. All claims depending from an objected base claim are objected to as incorporating the same deficiencies.
5. Claims 18, 20 and 23-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - A. As per claim 18, "the first and second sensors" lack antecedence because there is no previous recitation of a "first sensor". The examiner suggests amending claim 15, line 4 to read --a first acceleration sensor-- and to insert --first-- before "sensor" at lines 5, 6

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and 8 as well as inserting --first-- before “distance” at line 5. Applicant should also amend claim 16 line 1 to be consistent with the above change.

B. As per claim 20, “the model of the sensors” lacks antecedence because claim 15 refers to only a single sensor. Also “the “ should be changed to --a--.

C. As per claims 23, 25, and 27, the claims are unclear which models of the vehicle dynamics and array of sensors is being referred to (see claim 22, lines 5-6 and lines 10-11). If there is only one set of models, the examiner suggests amending claim 22 by changing lines 10-11 to read “the model” (each occurrence).

D. All claims depending from a rejected base claim are rejected as incorporating the same deficiencies.

6. Claims 1-32, as best interpreted given the deficiencies noted above, are distinguishable over the prior art. As per claims 1 and 22, the prior art of record does not show or reasonably suggest, in combination with the other claimed subject matter, reducing the roll moment of a vehicle based on roll angle whereby the roll angle is estimated based on at least a model of the vehicle dynamics and a model of an array of sensors. As per claim 15, the prior art of record does not show or reasonably suggest, in combination with the other claimed subject matter, reducing the roll moment of a vehicle based on a control signal whereby the control signal is based on roll angle, roll rate and roll acceleration. The roll rate and roll angle are determined by integrating the roll acceleration provided by an acceleration sensor positioned along the lateral axis of the vehicle and spaced a distance from the vehicle’s center of gravity. Dependent claims 2-14, 16-21 and 23-32 are distinguishable for at least the same reasons.

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited documents represent the general state of the art.

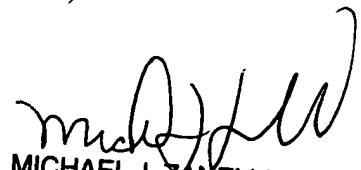
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Zanelli whose telephone number is (571) 272-6969.

The examiner can normally be reached on Monday-Thursday 8:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/mjz

  
MICHAEL J. ZANELLI  
PRIMARY EXAMINER